

ENCLOSURE 6

Comments from Michael Donahoe, Tahoe Area Sierra Club, dated July 17, 2006 on the July 11, 2006 revised proposed Administrative Civil Liability Order

10-0087



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Group

P.O. Box 16936 So. Lake Tahoe, CA 96150

7-17-06

California Regional Water Quality Control Board
2501 Lake Tahoe Blvd.
South Lake Tahoe, CA 96150

COMMENTS ON THE SECOND REVISION TO THE PROPOSED CIVIL LIABILITY ORDER concerning C. Geoffrey and Christine Davis, Hans and Margaret Coffeng, and Pacific Built, Inc.

First of all, thank you for holding accountable those responsible for last year's sewage spill at Kings Beach. One of the key reasons we haven't made more progress in saving Lake Tahoe is the prevailing perception that the rules here don't apply equally to all. And that if you have enough money or political clout, you can pretty much do as you please. This perception, often enough based in reality, creates a climate where ordinary citizens feel foolish for obeying regulations that their neighbors ignore, and begin ignoring them as well. A \$325,000 fine will help counteract this trend.

We need to get to a place where residents and visitors alike are more self policing and self responsible. Where no one would even think of doing anything that might harm the lake. Unfortunately that consciousness is not prevalent yet. What people don't seem to realize is that we have not turned the corner yet in saving this Lake. The rate of decline may have slowed, but we are still losing ground. Unofficial secchi depth readings this Spring range from 67 to 40 feet of clarity. This is not good.

Until we do turn the corner and start gaining clarity, we urge you take an ever stronger and more visible role in enforcing the Outstanding Natural Resource Waters provisions of the Clean Water Act. Your leadership is very much needed.

In this specific case, that leadership means an appropriate fine for such a serious offense. Given that the extent of the spill was less than the 70,000 gallons originally thought, it is reasonable to reduce the fine from the 1st proposal of \$700,000, though our recommendation would be that the fine's reduction be more proportional to the actual spillage of around 55,000 gallons.

Thank you for considering our comments.

Sincerely,

Michael Donahoe, Conservation Co-chair
Tahoe Area Sierra Club

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